

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WHITNEY ANN SMITH

Defendant.

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CIVIL ACTION NO. 5:15-CR-18 (14)

**ORDER**

Before the Court is Whitney Ann Smith's Motion to Terminate Defendant's Supervised Release Term. Docket No. 1172. In 2016, Defendant pleaded guilty to possession with intent to distribute methamphetamine in violation of 18 U.S.C. § 841(a)(1) and was sentenced to 60 months' imprisonment and four years' supervised release. Docket No. 718. Her period of incarceration was later reduced to 30 months. Docket Nos. 1072, 1078 & 1079. Defendant now seeks early termination of her supervision, which began on December 28, 2017. Defendant asserts that she has maintained steady employment, has established a stable home, has had no violations during her 27 months of supervised release and is at low risk for recidivism.

The United States is opposed to the requested relief because Defendant was a user of methamphetamine for 25 years, during which time she had periods of cessation and relapse. The government believes continued supervision is necessary in order to monitor her sobriety and to provide a measure of accountability in order to ensure her successful reintegration into the community. Docket No. 1173. In addition, a report by the U.S. Probation Office has been prepared and submitted at the Court's request. This report, dated April 21, 2020, indicates the Probation

Office does not support Defendant's request for early termination because of its district-wide policy against recommending early termination except in certain circumstances not present here. The Probation Office report also indicates, however, that Defendant is a candidate for progression from regular supervision to its low-risk caseload, which entails minimal supervision.

The Court commends Ms. Smith for her successful reentry into the community and encourages her to continue her efforts to improve herself. However, given the relatively short amount of time Defendant has been supervised and the Probation Office policy, the Court does not believe early termination is appropriate at this time. Defendant may reurge her motion after completion of three years of supervised release. Having considered Defendant's motion, the United States' opposition and the report from the U.S. Probation Office, the Court does not believe early termination of supervision is appropriate at this time. The motion (Docket No. 1172) is **DENIED.**

**SIGNED this 27th day of April, 2020.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE